

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

GORDON SCHIFF and,
CELESTE ROYCE,
Plaintiffs,

v.

Civil Action No. 1:25-CV-10595-LTS

U.S. OFFICE OF PERSONNEL
MANAGEMENT,
CHARLES EZELL, in his official capacity as
Acting Director of the U.S. Office of
Personnel Management,
U.S. DEPARTMENT OF HEALTH &
HUMAN SERVICES,
ROBERT F. KENNEDY, JR., in his official
capacity as Secretary of Health and Human
Services,
AGENCY FOR HEALTHCARE RESEARCH
AND QUALITY, and
MAMATHA S. PANCHOLI, in her official
capacity as Acting Director of the Agency for
Healthcare Research and Quality,

Defendants.

DECLARATION OF MARGIE SHOFER

I, Margie Shofer, do hereby state and declare as follows, pursuant to 28 U.S.C. § 1746:

1. I am the Division Director of General Patient Safety at the Agency for Healthcare Research and Quality (“AHRQ”), an agency under the Department of Health and Human Services (“HHS”). I submit this declaration in connection with the Defendants’ Motion to Dismiss the Complaint. The statements made herein are based on my personal knowledge and on information provided to me in the course of my official duties with HHS.
2. I have worked at HHS for almost 25 years, and I have been in my current position since July 24, 2016. Previously I served as Program Analyst in the Office of Communications (June 19,

2000- July 31, 2015), and a Health Scientist Administrator -non-supervisory (November 15, 2015-July 23, 2016).

3. The Agency for Healthcare Research and Quality conducts health services research. It is the nation's lead federal agency supporting patient safety research and supports state-of-the-art data analytics tools to analyze and improve the U.S. healthcare system. The Center for Quality Improvement and Patient Safety is responsible for preventing, mitigating and reducing medical errors and patient harm. PSNet is a national web-based resource featuring news and resources on patient safety. It is devoted to improving patient safety in the form of sharing original content developed by the contractor and content developed elsewhere such as peer reviewed journal articles and toolkits created outside of AHRQ.
4. One of my responsibilities as Division Director of General Patient Safety at AHRQ is to oversee work conducted by team members. In my supervisor role, I provide guidance on contracts managed by the team, including providing guidance to Pantheon, the contractor for AHRQ's Patient Safety Network website ("PSNet").
5. I am aware of the Court's May 23, 2025, Order on a Motion for Preliminary Injunction ("Order").
6. Pursuant to the Court's Order: On May 27, 2025, AHRQ reposted on PSNet, complete, unaltered versions of Dr. Schiff's commentary on suicide risk; and Dr. Royce's commentary on endometriosis; as well as all other content authored by private parties that was removed from PSNet pursuant to the defendants' implementation of Executive Order No. 14,168. In total, nine articles authored by private parties (including the commentaries of Dr. Schiff and Dr. Royce) had been taken down and then were re-posted pursuant to the Court's Order.
7. The nine articles that were reposted constitute the universe of articles authored by private

parties that were taken down from PSNet in January 2025, pursuant to HHS's and AHRQ's implementation of EO 14,168.

8. It is the position and intent of HHS that the nine re-posted articles will remain on PSNet for as long as PSNet exists as a website (in either static or active form).
9. PSNet is a static website. It ceased being an active website on March 24, 2025, when HHS's contract with Pantheon (under which Pantheon operated PSNet) ended and was not renewed.
10. PSNet is not accepting any new publications.

I declare under penalty of perjury that the foregoing statements are true and correct.

Dated: June 12, 2025

MARJORIE J.
SHOFER -S

Digitally signed by MARJORIE J.
SHOFER -S
Date: 2025.06.12 13:36:39 -04'00'

Margie Shofer